IN THE HIGH COURT OF JUDICATURE AT BOMBAY
C.A.J.

WRIT PETITION NO. 5964 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr.R.D.Soni i/by M/s. Ram & Co. for Petitioner.

Mr. V.A. Sonpal for Respondents.

CORAM : F.I. REBELLO &
R.V. MORE,JJ.
DATED : JULY 06, 2007

P.C.

. The Petitioner has challenged by this Petition the claims of sales tax on lottery tickets. This issue came up for consideration before the Supreme Court in M/s. Sunrise Associates Versus Govt. of NCT of Delhi and Ors. decided in C.A. No. 4552 of 1998 reported in AIR 2006 S.C. 1908 and further clarification issued by the Supreme Court in Civil Appeal NO. 24 of 2001 in State of U.P. and another Vs. Sugal and Damani decided on 27.7.2006.

. In view of the above, Petition made absolute in terms of Prayer Clause (a). It is further clarified that the tax already

collected will not be entitled to be refunded. However, for the prior period and from the date of the interim order of this court the respondents will not demand any further tax for those periods on the Petitioners.

. Rule made absolute accordingly. No order as to costs.

(R.V.MORE,J.) **(F.I. REBELLO,J.)**